

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JASON COBB,

Plaintiff,

v.

JPMORGAN CHASE, et al.,

Defendants.

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No. C 13-01955 JSW

**ORDER RE MOTION TO  
DISMISS FILED BY  
DEFENDANTS NERIO AND  
FADEM**

On August 30, 2013, Defendants Ron Nerio and BJ Fadem filed a motion to dismiss for failure to state a claim, which is noticed for hearing on November 15, 2013. (Docket No. 153.) Although the notice of the motion refers to a memorandum of points and authorities, it does not appear that Defendants actually e-filed that document. In addition, the Court did not receive a chambers copy of the motion or the memorandum of points and authorities.

Plaintiff has opposed the motion, and he responds to arguments that Defendant appear to have raised in their memorandum of points and authorities. Defendants have not filed a reply within the time allowed by the Northern District Civil Local Rules.

It is HEREBY ORDERED that Defendants shall electronically file the memorandum of points and authorities in support of the motion by no later than October 11, 2013. **Because Plaintiff has already responded to the Defendants' motion (Docket No. 174), he shall not file any further opposition brief. In addition, because the time for filing a reply has passed, the Defendants shall not be permitted to file a reply.**

Once the Defendants have electronically filed their memorandum of points and authorities, the matter shall be deemed submitted. If the Court determines the motion is suitable

1 for disposition without oral argument, it shall notify the parties in advance of the hearing  
2 scheduled for November 15, 2013.

3 **IT IS SO ORDERED.**

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5 Dated: October 4, 2013

  
6 JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE